

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 8

April 24, 2013

**SUBJECT: ELECTRONIC PROBABLE CAUSE DETERMINATION/DECLARATION
(e-PCD) - ESTABLISHED**

PURPOSE: This Order establishes Department Manual Section 4/216.16, *Electronic Probable Cause Determination/Declaration (e-PCD)*, to increase the efficiency in processing PCDs and to minimize the release of adult arrestees resulting from improperly completed and/or misplaced PCDs. The "e-PCD" link is located under the Applications menu in the Department's Local Area Network homepage and is linked to the Los Angeles Superior Court Data and Document Exchange Service website (DDES). This website enables employees to electronically complete and submit an e-PCD for adult arrestees, directly to the Los Angeles Superior Court.

Note: Currently, the DDES is developed for adult PCDs only. This Order does not change the procedure for juvenile PCDs.

PROCEDURE:

- I. DEPARTMENT MANUAL SECTION 4/216.16, ELECTRONIC PROBABLE CAUSE DETERMINATION/DECLARATION - ESTABLISHED.**
Department Manual Section 4/216.16, *Electronic Probable Cause Determination/Declaration (e-PCD)*, has been established.
- II. ARRESTING OFFICER'S RESPONSIBILITIES.** Upon the completion of an arrest report that requires a PCD, the arresting officer must access the Los Angeles Superior Court Data and Document Exchange Service (DDES) website, via the "e-PCD" link under the Applications menu in the Department's Local Area Network (LAN) homepage or type <https://ddes.lasuperiorcourt.org> in the address bar of the LAN homepage. The officer must enter his/her full Department email address in the "User ID" and use his/her LAN password to log into the DDES website. Upon logging into the DDES website, officers must:
 - * Complete an e-PCD for each adult arrestee and **adequately** document the probable cause for the arrest;

Note: Officers have the option to attach a signed copy of the arrest report to the e-PCD via the DDES website.

- * Click on the "Submit For Approval" button to electronically submit the e-PCD to the watch commander for approval; and,
- * Monitor their "Supervisor Return List" in the DDES website for e-PCDs that are returned for correction from the watch commander. Officers must make the necessary correction and resubmit the e-PCD.

The processing of an e-PCD eliminates the requirement for attaching a hard copy PCD to the original arrest report. In the event an officer cannot complete an e-PCD (e.g., juvenile arrest or the system is down), the officer must complete a hard copy PCD consistent with past practices.

III. WATCH COMMANDER'S RESPONSIBILITIES. Watch Commanders must log into the DDES website at the start of his/her shift to ensure there are no open or rejected e-PCDs. When reviewing an arrest report, watch commanders must:

- * Review the e-PCD related to the arrest report;
- * Ensure an e-PCD is submitted for each arrestee;
- * Ensure the e-PCD is accurately completed and that the probable cause is adequately documented; and,
- * Upon approval, click the "eFile to court" button to forward the e-PCD to a magistrate for review.

Note: If not approved, the watch commander must electronically send the e-PCD back to the concerned officer. The watch commander must also ensure that the concerned officer acknowledges the disapproval.

If an e-PCD is opened and no action is taken, it remains assigned to the opening watch commander, which prevents other watch commanders from approving the e-PCD. To ensure this does not occur, upon review and approval, the e-PCD must be forwarded immediately to a magistrate for review. The e-PCDs that are forwarded to a magistrate will be listed under the "*Submitted List*."

Watch commanders must **continuously** monitor the "*Submitted List*" during his/her shift, for e-PCDs that have been rejected by the magistrate. Watch commanders must review the heading "*Probable Cause Not Found*" and ensure the following:

- * Return the rejected e-PCD electronically to the arresting officer(s), if available, for appropriate corrections;
- * If the arresting officer(s) is unavailable (e.g., end of watch), the watch commander may use the "Behalf of Feature" and make the appropriate corrections;
- * Ensure the revised e-PCD references the rejected e-PCD in "the facts" box (e.g., "This is a revision to e-PCD No. 12345 that was previously rejected for probable cause not found);
- * Ensure the revised e-PCD contains additional facts taken from the narrative of the approved arrest report to support a finding of probable cause;
- * Ensure the corrected e-PCDs are re-submitted to the magistrate for review, and,

Note: If the watch commander becomes aware of an e-PCD rejected for Probable Cause Not Found and the expiration date and time has passed, there is no need to submit a new e-PCD. Jail Division cannot hold arrestees more than 48 hours without a finding of probable cause. The arrestee will have been released from custody.

- * Prior to logging off, ensure that there are no open or rejected e-PCDs.

In the event the e-PCD system is down, the watch commander must ensure that the arresting officer completes a hard copy PCD and attach a copy of the related arrest report. The watch commander must ensure the signed PCD and the copy of the arrest report is forwarded to a magistrate for review.

IV. JAIL DIVISION'S WATCH COMMANDER RESPONSIBILITIES.

The Jail Division Watch Commander is responsible for monitoring the DDES website to ensure that a finding of probable cause was present for each arrestee. If such a finding is not present within 24-hours of receiving the arrestee, the watch commander or designee must:

- * Promptly notify the arresting division's watch commander;
- * Follow-up with the watch commander to ensure receipt of the notification; and,

- * Record the arresting division watch commander's name and serial number.

If the arrestee's offense is a serious felony, Jail Division must use reasonable efforts to make a second notification prior to releasing the arrestee. In the event the e-PCD system is down, Jail Division personnel must verify the status of the PCD via the Network Communication System (NECS) or telephonically contact the appropriate court.

V. RECORD UNIT'S RESPONSIBILITY. The processing of an e-PCD eliminates the requirement for attaching a hard copy of a adult PCD to the arrest report.

VI. AREA COMMANDING OFFICER'S RESPONSIBILITY. Each Area commanding officer is responsible for ensuring compliance with this Order.

FORM AVAILABILITY: The electronic Probable Cause Determination/Declaration is accessible via the "e-PCD" link under the Applications menu in the Department's Local Area Network homepage or the DDES website at <https://ddes.lasuperiorcourt.org>. A hard copy Probable Cause Declaration/Determination, Form CRIM 064, is available in LAPD E-Forms for use with juveniles or in case of system failure.

AMENDMENT: This Order adds Section 4/216.16 to the Department Manual.

AUDIT RESPONSIBILITY: The Commanding Officer, Internal Audits and Inspections Division, will review this directive and determine whether an audit or inspection will be conducted.



CHARLIE BECK
Chief of Police

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